

Election Law Changes



Voter Identification Requirement

SEA 483 requires all voters to present a valid state or federal photo ID at the polls to be able to vote. Acceptable forms of identification include a current Indiana driver's license, an Indiana ID card issued by the BMV to those who do not drive, a passport or military identification.

The BMV will issue a free photo ID to anyone who does not have a valid ID and will be eighteen by the next general, municipal or special election.

If a voter is unable to present an ID at the polling location, they can cast a "provisional ballot," which is kept in a secrecy envelope and separate from the regular ballots. A voter has 13 days to provide proof of ID to the county clerk or county election board to have the sealed provisional ballot opened and counted. A voter may also have their provisional ballot counted by swearing by an affidavit at the county clerk's office that they are unable to afford an ID or have a religious objection to being photographed.

Voters who reside in a nursing home or other licensed care facility are exempt from the ID requirement when voting at the facility.

For a valid driver's license or ID card, you must present the following at a BMV branch:

- **One Primary Document**, such as birth certificate or passport.
- **One Secondary Document**, such as a bank statement or W-2 form.
- **One Proof of Social Security Number**, such as original Social Security card.
- **One Proof of Indiana Residency**, such as a current bill with name and address. A Primary or Secondary Document may be counted as Proof of Residency as long as the applicant's name and correct address are shown on the document.

- Or all of the following -

- **Two Primary Documents**
- **One Proof of Social Security Number**
- **One Proof of Indiana Residency Document**

If you have further questions, contact Driver Services, at 317-233-6000, Option 2.

Changes at the Precinct

SEA 341 authorizes the county election board to impose a civil penalty by unanimous vote on a precinct election officer who knowingly, recklessly or negligently fails to perform his or her duties. In addition, it requires county election boards to keep attendance records for training sessions of precinct election officers and establishes a certified election worker program for the education of precinct election officers and county election officials.

The act also allows individuals credentialed as 'challengers' to have the same access

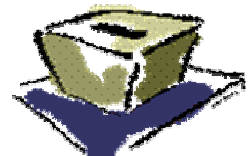
to the polls as do poll book watchers and requires all polling place watchers and challengers credentialed by a political party to possess credentials including the challenger's name and the name of the person who appointed the challenger.

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HEA 1407 requires precinct election officers to assure and certify that an optical scan system is in perfect working order and records that zero votes have been cast before voting begins. It also requires an additional seven days for the certification of election results and the filing of recounts or contests due to the potential increase in provisional ballots, and requires all full service license branches to be open on the day before election day and on election day to issue driver's licenses and state identification cards.

Absentee Ballots

SEA 15 creates new rules for assisting a voter to apply to vote absentee. Provisions include:

- ★ Two new categories of persons permitted to vote absentee by mail who observe a religious holiday or individuals participating in the Attorney General's address confidentiality program.
- ★ Applications may have pre-printed information including only the name of the voter, address, date of birth and voter identification number. It is illegal to provide an individual with an application for an absentee ballot with the address to which the ballot would be mailed if different than the registration address of the voter. For primary elections, absentee voters must indicate which political party ballot they want and complete information as to why they should be entitled to vote absentee.
- ★ A person who assists another in completing an absentee ballot application and a person who submits an absentee ballot application on a voter's behalf is required to file a signed statement or affidavit that provides the contact information of the person assisting, the date and location where the assistance was provided, that the person assisting has complied with Indiana laws, and that the person has no knowledge or reason to believe that the voter is ineligible to vote or did not properly complete the form.
- ★ The deadline for a confined voter or a voter caring for a confined person to submit an absentee ballot application by fax is noon of the day before election day.
- ★ A person who votes an absentee ballot before an absentee board in the office of the circuit court clerk or at a satellite office must provide proof of identification before being permitted to vote, however, any other individuals who vote absentee are still not required to provide identification unless you are a first-time voter.
- ★ The State Recount Commission is required to recount ballots cast by any voting method and would be given the option to extend the deadline for completion of a recount if a good reason is apparent.
- ★ The Election Commission is required to establish an Absentee Voter's Bill of Rights.

Additional New Laws

SEA 14 changes the format of the ballot that will be used in Indiana Elections from listing candidates by political party to listing by the office for which they are running.

SEA 18 clarifies that if an elected official is convicted of a felony, that official loses his office when the verdict is announced or a guilty plea is accepted. Previous law held discrepancies between a loss at the time of conviction and at the time of sentencing. The act also prevents an individual from assuming office or being a candidate for office if the individual has a felony conviction.

**The Election Division of the
Secretary of State's office
can answer additional
questions at 800-662-4941
or www.in.gov/sos/elections**